

GENE CHANCE, ET AL.  
Plaintiffs,

*versus*

E. I. DU PONT DE NEMOURS AND  
COMPANY,  
Defendant.

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Lead Case: No.1:16-CV-00376-MAC  
Member Case: No.1:17-CV-00333-MAC  
Member Case: No.1:18-CV-00402-MAC

### **ORDER ADOPTING REPORT AND RECOMMENDATION**

The court referred this case to the Honorable Zack Hawthorn, United States Magistrate Judge, for pretrial management. The court has received and considered Judge Hawthorn's report (Doc. No. 138) recommending that the court grant the pending "Joint Motion for Final Approval of Settlement" (Doc. No. 136) and the "Unopposed Motion for Approval of Attorneys' Fees and Expenses." Doc. No. 137. No objections were filed to the magistrate judge's report and recommendation, and the time for doing so has now passed.

The Court, having considered the Parties' motions, the applicable law, and representations by counsel to Judge Hawthorn at the fairness hearing, **FINDS** that this case presents a bona fide dispute under the FLSA, and that the settlement agreement is fair and reasonable as to all Parties and reflects an arms' length negotiation and compromise of the disputed claims. Additionally, the Court **FINDS** that the attorneys' fees and costs paid to class counsel under 29 U.S.C. § 216(b) and the terms of the settlement agreement are reasonable.

It is, therefore, **ORDERED** that the magistrate judge's report is **ADOPTED** and that the "Joint Motion for Final Approval of Settlement" (Doc. No. 136) and the "Unopposed Motion for Approval of Attorneys' Fees and Expenses" (Doc. No. 137) are **APPROVED**.

It is further **ORDERED** that the Plaintiffs' claims are **DISMISSED** with prejudice. Except as otherwise provided for in the settlement agreement, each party shall take nothing on the claims asserted and shall bear its own costs and fees. The Court retains jurisdiction to enforce the settlement agreement.

The Clerk of Court is directed to close the case.

SIGNED at Beaumont, Texas, this 6th day of March, 2019.

A handwritten signature in black ink, reading "Marcia A. Crone", is positioned above a horizontal line.

MARCIA A. CRONE  
UNITED STATES DISTRICT JUDGE